

Message Text

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ACTION L-03

INFO OCT-01 EUR-25 ISO-00 SCS-03 SCA-01 H-03 SNM-02 NEA-14

INR-10 INRE-00 RSC-01 DRC-01 SSO-00 /064 W

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FM AMEMBASSY ANKARA

TO SECSTATE WASHDC IMMEDIATE 4220

INFO AMCONSUL ISTANBUL

C O N F I D E N T I A L ANKARA 3918

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E.O. 11652: GDS

TAGS: CASC, TU

SUBJ: WILLIAM HAYES CASE

REF: A. STATE 105326; B. ANKARA 3793; C. ANKARA 3746;

D. ANKARA 3457; E. STATE 98820

1. WE ARE VERY GRATEFUL FOR DEPARTMENT'S HELPFUL SUGGESTIONS IN REF A CONTAINING PROPOSED "FRIENDLY NOTE" TO FOREIGN MINISTER RE HAYES CASE. WE HAVE CONSIDERED POSSIBLE PRESS REACTION AND POTENTIAL EFFECTS ON OTHER ISSUES RAISED IN REF A, PARA 5, AND HAVE CONCLUDED THAT MOVEMENT ON HAYES CASE WOULD, WITH PROPER HANDLING, BE UNLIKELY TO HAVE SIGNIFICANT EFFECT ON FINAL OUTCOME OF THESE ISSUES. WE CONTINUE TO SHARE DEPARTMENT'S OPINION THAT WE SHOULD MOVE AHEAD PROMPTLY WITH AN APPROACH UNDER LAW 647 IN ORDER TO FOLLOW UP ON PRIMIN ECEVIT'S OFFER (REF D) AT A TIME WHEN THE RECENT IMPLEMENTATION OF THE GENERAL AMNESTY HAS CREATED A FAVORABLE ATMOSPHERE FOR THE RELEASE OF PRISONERS FROM TURKISH JAILS.

2. HOWEVER, IN VIEW OF FACT THAT TIMING IS CRUCIAL TO SUCCESS OF EFFORT, WE BELIEVE PRESENT GOVERNMENT CRISIS IN NOT RPT NOT CONDUCTIVE TO A FAVORABLE OUTCOME FOR ANY SUCH REQUEST MADE WITHIN NEXT FEW DAYS. REQUEST WOULD HAVE TO GO BEFORE COUNCIL OF MINISTERS FOR APPROVAL, AND LIKELIHOOD IS THAT VOT
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WILL NOT UNDERTAKE MAJOR DECISIONS WHILE THE FATW OF THE

RPP-NSP COALITION IS BEING DECIDED. WE AGREE, HOWEVER, THAT WE SHOULD TAKE STEPS IN ORDER TO BE PREPARED TO MOVE AS QUICKLY AS POSSIBLE FOLLOWING RESOLUTION OF CRISIS.

3. IN NEXT FEW DAYS, THEREFORE, WE PLAN TO CONSULT WITH PROFESSORS EREM AND ALACAKAPTAN RE CONTENTS OF PROPOSED NOTE AND (IN VIEW OF EREM'S OBVIOUS INTEREST) THE ADVISABILITY FROM TACTICAL VIEWPOINT OF INCLUDING THE ANTAKAYA DEFENDANTS IN THIS (OR SIMULTANEOUS) APPROACH. IN THIS CONNECTION, WE NOTE THAT IN CONVERSATION WITH AMBASSADOR (REF D), ECEVIT REFERRED TO BOTH HAYES AND ANTAKYA CASES. GIVEN POLITICAL ASPECTS OF CASES, IT MAY BE THAT GOT WOULD PREFER RECEIVING ONE REQUEST IN BEHALF OF BOTH HAYES AND ANTAKYA DEFENDANTS.

4. AFTER CONSULTATIONS WITH EREM AND ALACAKAPTAN, WE WILL PROVIDE DEPARTMENT WITH OUR COMMENTS ON PROPOSED TEXT OF "FRIENDLY NOTE" AND OUR THOUGHTS ON A PROSPECTIVE SCENARIO FOR IMPLEMENTING THIS APPROACH, INCLUDING AT SOME POINT CONSULTATIONS WITH HAYES, HIS ATTORNEYS, AND HIS FAMILY IN THE U.S.
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